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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,400	04/06/2000	Thomas R Packwood	J532-002 US	8791

21706 7590 07/28/2003

NOTARO AND MICHALOS
100 DUTCH HILL ROAD
SUITE 110
ORANGEBURG, NY 10962-2100

[REDACTED] EXAMINER

AKERS, GEOFFREY R

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

3624

DATE MAILED: 07/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	09/5488800		Applicant(s)	Polk word
Examiner	Avery G		Art Unit	3624
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --				

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 7/11/03.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-65 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-65 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing-correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____	6) <input type="checkbox"/> Other: _____

Art Unit: 3624

DETAILED ACTION

Reply to Response

1. This action is issued in reply to applicant's Response(Paper #7) filed 7/11/03.
2. No claims were amended. None were deleted. None were added.
3. Claims 1-65 are pending.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-65 are rejected under 35 USC 103(a) as unpatentable over Alexander(1996)(vol 1)("Risk Management & Analysis) in view of Tran(6,202,060).

6. As per claims 1-65 Alexander teaches a risk assessment system(pages v-vi)) which identifies a plurality of risks affecting an operation being managed (page viii)(Pages 209-222) and determining actual risk levels values for the risk factors(Pages 125-236) which can be acceptable or unacceptable(p. 161)(p. vi)(pages 245-267).Alexander further teaches the risk reporting and management system wherein there are risk levels(pages 12-40)(pp v-vi). Alexander also teaches tax efficiency, regulatory efficiency(p 106) as well as balance sheet management(Sect 10.5) as well as front,middle,back office management(p 210-216) which is

Art Unit: 3624

characteristic of running businesses also. Alexander addresses financial as well as business risk models. Tran teaches generating spreadsheets which form basis of risk management assessments and reports(Fig 22/512)(Fig 6)(Fig 17) as well as editing saving memo reports(Fig 20) and displaying reports(Fig 27/588)(Fig 28/601) which includes information analysis relating to competition and stakeholders and analysis of financial health which is risk assessment analysis(col 35 lines 52-56). Tran further teaches displaying results(Fig 25) and spreadsheet analysis(col 2 lines 51-61). Tran also teaches searching(col 35 lines 59-62) for stakeholder information(col 35 line 54) and financial health assessments as well as displaying reports including such information(Fig 27)(Fig 22) as well as project planning tools functionality(col 5 lines 46-50). It would have been obvious to one skilled in the art at the time of the invention to combine Alexander in view of Tran to teach the above. The motivation to combine is to teach a data management system utilized for spreadsheets, project planning, and risk analysis as enunciated by Tran(col 2 lines 12-15).

Response to Arguments

7. Applicant's arguments with respect to claims 1-65 have been considered but are not persuasive. Alexander cites the various risk models incorporating Monte Carlo simulation(p 204), measures of risk paradigm(p 225). Alexander also teaches tax efficiency, regulatory efficiency(p 106) as well as balance sheet management(Sect 10.5) as well as front,middle,back office management(p 210-216) which is characteristic of running businesses also. Alexander concerns herself with financial as well as business risk models.Tran teaches generating spreadsheets which

Art Unit: 3624

form basis of risk management assessments and reports(Fig 22/512)(Fig 6)(Fig 17) as well as editing saving memo reports(Fig 20) and displaying reports(Fig 27/588)(Fig 28/601) which includes information analysis relating to competition and stakeholders and analysis of financial health which is risk assessment analysis(col 35 lines 52-56).Tran also teaches searching(col 35 lines 59-62) for stakeholder information(col 35 line 54) and financial health assessments as well as displaying reports including such information(Fig 27)(Fig 22) as well as project planning tools functionality(col 5 lines 46-50).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 3624

9. Any questions concerning this communication should be addressed to the primary examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the primary examiner are unsuccessful, the primary examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

GRA


July 24, 2003

**DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER**